

## Chapter 13.12

### WASTEWATER TREATMENT USER CHARGES

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#### **13.12.010 Declaration.**

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the city to collect charges from all users who contribute wastewater to the city's wastewater collection system. The proceeds of such charges so derived will be used for such public wastewater collection system and for payment of wastewater treatment charges by the city. (Ord. 388 Art. 1, 2002: prior code § 8.0501)

#### **13.12.020 Definitions.**

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

"BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees Celsius.

"Commercial/industrial user" means any contributor to the city's wastewater collection works whose lot, parcel or real estate, or building is used for purposes other than a single-family dwelling.

"Flow unit" shall mean a volume of liquid equal in quantity to one thousand (1,000) gallons.

"Industrial user's" is a commercial user with a waste discharge as defined for a Class IV user.

"Normal domestic wastewater" shall mean wastewater that has a SOD concentration of not more than two hundred fifty (250) parts per million and a suspended solids concentration of not more than three hundred (300) parts per million and a oil and grease content of not more than one hundred (100) parts per million.

"Oil and grease" means oil and grease as determined by the standard laboratory procedures for the Soxhlet Extraction method as defined in the current addition of Standard Methods.

"Operation and maintenance" means all expenditures during the useful life of the wastewater collection works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage collection works to achieve the capacity and performance for which such works were designed and constructed.

Operation and maintenance charges shall be included in the sewer user charge and shall be levied in a proportional and adequate manner.

"Replacement charges" means expenditures for the obtaining and installing of equipment, accessories, or

appurtenances that are necessary during the useful life of the wastewater collection works to maintain the capacity and performance for which such works were designed and constructed. Replacement charges shall be included in the sewer user charge and shall be levied in a proportional and adequate manner.

"Residential user" means any contributor to the city's wastewater collection works whose lot, parcel of real estate, or building is used for single-family dwelling purposes only.

"Sewer extension" means the total project costs for the proposed extensions to the sewer system.

"Sewer user charge" refers to any and all rates, charges, fees or rentals levied against and payable by sewer service user and major industrial users.

"Shall" is mandatory; "may" is permissive.

"SS" (denoting suspended solids) means total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Method for the Examination of Water and Wastewater and referred to as nonfilterable residue.

"Treatment charge" means all charges made to the city of North Sioux City by the city of Sioux City, for treatment of the wastewater collected by such collection works. Treatment charges shall be included in the sewer user charge.

"Useful life" means the estimated period during which a wastewater collection works will be operated.

"Wastewater collection works" means any devices and systems for the collection or carrying of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions, and alterations thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities and any works, including site acquisition of the land that will be an integral part of the wastewater collection process.

"Water meter" means a water volume measuring and recording device, furnished and/or installed by the city or furnished and/or installed by a user and approved by the city. (Ord. 388 Art. 2, 2002: prior code § 8.0502)

### **13.12.030 User charge provisions.**

A. The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment collection works that the city may by ordinance designate to be paid by the user charge system.

B. Fiscal year-end balances in the fund shall be carried over to the same account in the subsequent fiscal year, and shall be used for no other purpose than those designated for this account. Moneys that have been transferred from other sources to meet temporary shortages in the fund shall be returned to

their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement.

1. Charges to industrial users shall be established on the basis of metered flow and tested strength of wastewater discharges. Monthly flow units shall be calculated from readings of individual industry-owned flow meters. If the industry does not have a flow meter for wastewater than the city shall use the potable water supply meter without reduction for wastewater flow volume.

Monthly loadings of DOD, solids, and grease are calculated from laboratory analysis of individual composited or grab wastewater samples applied to flows during the billing period. Individual industry charges shall be based upon actual usage. Discharges over a weekend shall be measured with the next analysis and charged for actual sewage discharged at the rates established herein.

Grease loadings in excess of one hundred (100) mg/h are also calculated and are billed for at twice the rate as for solids except as modified by surcharges. In addition, industrial users shall also be charged the costs of billing, metering, sample collection, and sample testing and maintenance or repair on metering and monitoring equipment that shall be conducted by the city or the agent of the city. Charges shall include, but not be limited to, the cost of travel, labor, chemicals, equipment replacement, and other charges resulting from the sampling and testing of the wastes of the industry. All monitoring and metering stations shall be secure with access

limited to city and city authorized industrial personnel.

2. Additional charges shall be provided for BOD contributions in excess of two hundred fifty (250) mg/l at the rate of \$0.053 per pound, for suspended solids in excess of three hundred (300) mg/l at the rate of \$0.026 per pound, and for oil and grease in excess of one hundred (100) mg/l at the rate of \$0.053 per pound.

3. For those industrial users who have been issued industrial user permits by the city, a surcharge of ten (10) times the additional charges as described above for flow, BOD, suspended solids and/or oil and grease, shall be applied to all quantities of wastes contributed in excess of the industrial user's permitted limits. Such surcharges shall be applied to both average monthly and maximum daily limits that are stipulated in the user permit.

4. Any user who discharges dissolved sulfides in excess of 0.5 mg/l shall be assessed a surcharge of one dollar sixty-four cents (\$1.64) per pound which shall be applied to the user's next sewer use billing. The total pounds for which the surcharge is applied shall be calculated by multiplying the difference between the actual measured concentration of dissolved sulfides and 0.5 mg/l times the user's actual measured flow (in million gallons) times a conversion factor of 8.34.

C. Charges to industrial users contributing as much as ten (10) percent of the treatment works design loadings in terms of flow, five-day BOD, or solids loadings, shall be established by a negotiated contract with the individual

industry. Rates shall include all charges assessed against the industrial users and shall be at least equal to the ordinance rates in effect at the time of the contract.

D. Where a major portion of water used or consumed on the premises of a contributor engaged in commercial or industrial activities is not discharged into the sanitary sewage system, the city may establish a special sewer user charge for such property based on the estimated quantity of water, sewage, and waste discharged into the sanitary sewage system, or the contributor may, at his or her own expense, provide for the separate measurement of water used but not discharged into the sanitary sewage system, in which case, if the city shall find the manner of segregation and measurement of such water to be satisfactory; the quantities of water so determined shall be deducted from the total quantity of water used or consumed on the premises in determining the sewer user charge.

E. Connection charges shall be as follows:

If the property to be connected to a public wastewater collection system requires the construction of an extension to the system, the owner shall pay a special connection charge to the city. The city council shall determine the amount of the charge for such service, which charge shall be two hundred fifty dollars (\$250.00) plus an equitable portion of the cost of the improvements, and the amount so determined shall, upon confirmation by the city council by resolution, be paid to the city and credited to the proper fund before a permit to make such connection shall be

issued. Such permit, when issued, shall be in writing and signed by the mayor or his or her designee. If the property to be connected to the wastewater collection system does not require the construction of improvements the owner shall pay a connection charge of two hundred fifty dollars (\$250.00) to the city.

F. When service is established to any customer, the schedule of rates for service shall be imposed and shall continue in effect until the customer requests the city to discontinue service. Upon receipt of such request, the city will turn off the water at the curb cock. Service charges to the customer shall then be discontinued as of the beginning of the next billing period. When service is to be resumed, the customer shall so notify the city, who shall have the water turned on, making no charge for this special service. Service charges shall then be resumed as of the beginning of that customer's current billing period.

G. All bills are due when rendered. If bills are not paid within thirty (30) days after the billing date, the city reserves the right to discontinue service to the delinquent customer by shutting off the water at the curb cock. Service shall then not be restored until the bill is paid in full plus a turn on fee of twenty dollars (\$20.00).

H. Whoever shall by himself or herself, or by any other person acting under his or her authority, use or take service from any part of the wastewater collection system without a permit, or shall without authority from the city; open or hitch to, dig out, curb over or damage any fixtures appertaining to the wastewater collection system shall be

fined an amount not exceeding Five Hundred Dollars (\$500.00) per instance.

I. Each single-family unit residing in a multiple dwelling building or an apartment building shall pay the minimum charge per month of a year for all wastewater discharged, however, the owner of such multiple dwelling building or apartment building may, upon request to the city, have installed one master water meter, which shall be operable as to measuring the quantity of water consumed, and which water meter shall be read as to the quantity of wastewater discharged and the owner of such premises shall be billed each month of a year for all wastewater discharged; provided, further, that the owner of such premises may, for such owner's own purpose and with the permission of the city, and without cost to the city, install a water meter for each individual tenant for the purpose of billing each individual tenant as to the quantity of wastewater discharged by each tenant. It shall be the responsibility of the owner of any multiple dwelling building and apartment building to report to the finance officer the name of any new tenant and any removal of a tenant from the premises being leased in instances where such owner does not have a master water meter installed as hereinbefore provided, and any person violating this requirement shall be fined an amount not exceeding Five Hundred Dollars (\$500.00) per instance. (Ord. 388 Art. 3, 2002: prior code § 8.0503) (Amended 2007)

**13.12.040 Class of user charges.**

The following classes of users and charges to those users are established:

**1. Class I: Residential Users: Single Family Contributors.**

Nineteen Dollars and Fifty Cents (\$19.50) per month plus Three Dollars and Fifteen cents (\$3.15) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement and debt service calendar year 2010.

Twenty-one Dollars (\$21.00) per month plus Three Dollars and Twenty-five Cents (\$3.25) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement and debt service calendar year 2011.

Twenty-three Dollars (\$23.00) per month plus Three Dollars and Thirty-five Cents (\$3.35) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement and debt service calendar year 2012.

**2. Class II: Light Commercial/Industrial Users: Nonresidential users which contribute between zero (0) gpd and four hundred (400) gpd of less than or equal to normal domestic strength wastewater.**

Twenty-four Dollars and Fifty Cents (\$24.50) per month plus Three

Dollars and Fifteen Cents (\$3.15) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement of debt service calendar year 2010.

Twenty-six Dollars (\$26.00) per month plus Three Dollars and Twenty-five Cents (\$3.25) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement of debt service calendar year 2011.

Twenty-eight Dollars (\$28.00) per month plus Three Dollars and Thirty-five Cents (\$3.35) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement of debt service calendar year 2012.

**3. Class III: Industrial Users: Nonresidential users which contribute more than four hundred (400) gpd of less than or equal to normal domestic strength wastewater.**

Thirty Six Dollars and Seventy-five Cents (\$36.75) per month plus Four Dollars and Seventy-three Cents (\$4.73) per thousand (1,000) gallons based on actual metered sales or estimated flows in accordance with availability for calendar year 2010.

Thirty Nine Dollars (\$39.00) per month plus Four Dollars and Eighty-eight Cents (\$4.88) per thousand (1,000)

gallons based on actual metered sales or estimated flows in accordance with availability for calendar year 2011.

Forty Two Dollars (\$42.00) per month plus Five Dollars and Three Cents (\$5.03) per thousand (1,000) gallons based on actual metered sales or estimated flows in accordance with availability for calendar year 2012.

(Ord. 388 Art. 4, 2002: prior code § 8.0504)(Amended January 2004)  
(Amended – January 2010)

**13.12.050 Billing.**

A. All users shall be billed monthly. Billings for any particular monthly period shall be made within thirty (30) days after the end of that billing period. Payments are due when the billings are made. Any payment not received within thirty (30) days after the billing is made shall be delinquent.

B. A late payment penalty of ten (10) percent of the user charge bill will be added to each delinquent bill for each thirty (30) days of delinquency. When any bill is thirty (30) days in default, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice of an opportunity or hearing.

C. The sewer use charge for residential users billed quarterly shall be the same for each of the four quarters of the calendar year, and shall be determined by quarterly water usage as shown by water meter readings taken in January, February or March of each calendar year, and shall be determined by the average monthly water usage as

shown by water meter readings taken in January, February and March of each calendar year. The city will review water usage and billings, for either quarterly or monthly billed users; in cases where water usage as shown by meter readings is less than the established winter quarter consumption, the actual consumption will be used in calculating sewer charges for that billing period only. (Ord. 388 Art. 5, 2002: prior code § 8.0505)

**13.12.060 Other provisions.**

A. Where a major portion of water used or consumed on the premises of a contributor engaged in commercial or industrial activities is not discharged into the sanitary sewage system, the city may establish a special sewer user charge for such property based on the estimated quantity of water, sewage and waste discharged into the sanitary sewage system, or the contributor may, at its own expense, provide for the separate measurement of water used but not discharged into the sanitary sewage system, in which case, if the city shall find the manner of segregation and measurement of such water to be satisfactory, the quantities of water so determined shall be deducted from the total quantity of water used or consumed on the premises in determining the sewer user charge.

B. Residential consumers of water shall not be charged a sewer user charge for water passing through a separate meter, the type and installation of which shall be approved by the city, and purchased and installed at the consumer's expense, when the meter shall be connected to outside taps for the

purpose of lawn sprinklers or for the operation of air conditioners when such water is not discharged through or into the sanitary sewer system. (Ord. 388 Art. 6, 2002: prior code § 8.0506)

**13.12.070 Annual review.**

The city will review the user charge system at least annually, specify and revise user charge rates as necessary to ensure the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes. (Ord. 388 Art. 7, 2002: prior code § 8.0507)